

## AGENDA

State of Wisconsin  
Livestock Facility Siting Review Board  
Meeting

April 18, 2008  
DATCP, Boardroom 106  
2811 Agriculture Drive, Madison

10:00 a.m. CALL TO ORDER—Jim Holte, LFSRB Chair

- Open meeting notice
- Approval of agenda
- Approval of April 4, 2008, meeting minutes

*Ronald S. Stadler v. Crawford County, Docket No. 08-L-01*

- Demonstration of the SNAP-Plus (Soil Nutrient Application Program) using the Roth example—Sue Porter, DATCP
- Discussion on SNAP-Plus
- Identification of issue(s) on appeal
- LFSRB deliberation on case
- LFSRB decision
- Set date for LFSRB signoff of final written decision on May 16, 2008

12:00 p.m. LUNCH BREAK

12:45 p.m. *Ronald S. Stadler v. Crawford County, Docket No. 08-L-01 (continued from morning, if necessary)*

*Larson Acres, Inc. v. Town of Magnolia, Docket No. 07-L-01*—Cheryl Daniels, Board Attorney

- Update on circuit court appeals

Report from the April 5, 2008, conference on Environmental Impacts of Large Livestock Operations in Wisconsin—Cheryl Daniels

Board schedule and future agenda items

- Next meeting—May 16, 2008
- Future agenda items

2:45 p.m. ADJOURN

## **DRAFT MINUTES LIVESTOCK FACILITY SITING REVIEW BOARD TELECONFERENCE MEETING**

**April 4, 2008**

**Room 266, 2811 Agriculture Drive, Madison, WI**

Chair Holte called the meeting to order at 11 a.m. LFSRB members present were Lee Engelbrecht, Andy Johnson, Bob Selk, Bob Topel, Fran Byerly, and Jerry Gaska. A quorum was present. DATCP staff present were Cheryl Daniels, Lori Price, Mike Murray, Dave Jelinski, Richard Castelnuevo, and Sue Porter.

### **Call to order**

Holte stated the meeting agenda was publicly noticed, as required, and then presented the agenda for approval. Johnson moved to approve the agenda, and Engelbrecht seconded the motion. The motion passed.

Holte presented the March 7, 2008, meeting minutes for approval. Gaska had one change to the minutes on page 2, second paragraph, second sentence: change sentence to indicate Midwest Environmental Advocates had nominated Selk to sit on the LFSRB and not nominated him to receive an award. Johnson moved to approve the minutes as amended, and Selk seconded the motion. The motion passed.

### **Ronald S. Stadler v. Crawford County, Docket NO. 08-L-01: discuss need for technical assistance from DATCP staff concerning the Roth nutrient management plan**

Daniels reported the LFSRB members should have received all the case record documentation received through DATCP. There were no additional position statements received besides what was received initially. Selk asked if the applicant sent in a position statement. Daniels responded the applicant called a couple of times to ask what was required but chose not to send in a position statement because he felt the record spoke for itself. Selk requested that a inventory of all the record documentation be sent to the LFSRB to make sure they have everything. He also requested that in the future, the local governments should be encouraged to put the record in binders with pagination so it is easier for the board to refer to a page when deliberating on a case. Topel notified the other board members that he has contracted in the past with the company that did the engineering in this case and his son was also employed at one time with that company. He currently has no projects with the company. The board agreed this would not be a problem, and Selk added that if Topel felt at anytime during case discussion he could not be impartial, he should let the board know.

Holte then turned the focus on whether the board needed technical assistance from DATCP at this time. The board discussed the difficulty in opening up the SNAP-Plus (Soil Nutrient Application Program) program provided on a CD. Daniels requested DATCP staff send a set of instructions on how to unzip the file in order to open up the SNAP program. Porter gave a brief explanation of the program, and Castelnuevo added that DATCP does provide funding to the UW Soils Department,

who developed the program, for continuous updates to the program. LFSRB members decided to have a 30-minute presentation on SNAP using the Roth farm as the example at the April 18<sup>th</sup> meeting where the board will deliberate in this case. Johnson suggested the presentation cover what the program delivers as far as evaluation relative to applications, for example, what data is provided in the program and what data backs the local decision in this case.

Holte asked if there were other needs for technical assistance from DATCP. Selk expressed a concern over the materials sent by DATCP staff on requesting technical assistance. His concern was on the item entitled "Issues Related to Review of a Nutrient Management Plan Under the Siting Law" that he believes states DATCP's position in the case by addressing specific issues within the case. Holte confirmed with Porter and Murray that the applicant did not have a WPDES permit, which would have substituted for the nutrient management plan. Porter added that the applicant is in the process of applying for a WPDES permit. Topel asked if the application and WPDES permit always partner together in that you cannot have one without the other. Murray responded that DNR does not require producers to specifically have the siting permit before apply for a WPDES permit but rather the appropriate local permits whether it is for manure storage, siting, building, etc. Daniels reminded the board members to review the worksheets in the application to make sure they meet ATCP 50 requirements. Selk requested that during the SNAP presentation, he wants to see the information on current nutrient load in the fields on the farm in this case.

## **Board schedule and future agenda items**

Holte announced that the next scheduled LFSRB meeting is on April 18<sup>th</sup>. Daniels stated that the agenda will consist of the demonstration on the SNAP program using the Roth Farm example, board discussion on SNAP, and board case deliberation in the morning; and the case decision after lunch. The board then discussed whether to list specific times for each agenda item and decided that at a minimum, the call to order time should be listed with no specific times in between.

Daniels informed the board that she will be attending a large animal feed operations conference on April 5<sup>th</sup> in order to hear what is being said about the siting law and the LFSRB. She will report back to the board at a later date on what she learned at the conference.

## **Adjourn**

Byerly moved to adjourn the meeting, and Engelbrecht seconded the motion. The motion passed. The meeting ended at 11:45 a.m.

Respectfully submitted,

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Bob Selk, Secretary

Date

Recorder: LP

**Index of Record  
Roth Farm – Crawford County**

**Prepared by Cheryl Furstace Daniels, Board Attorney  
Livestock Facility Siting Review Board  
April 10, 2008**

**Notebook 1 – Application for Howard A.V. Roth**

1. Application for Local Approval (5 pps.)
2. Site Maps – July 2007 (3 pps.)
3. Topographical Map – August 2007
4. Worksheet 2 - Odor Management & Spread Sheets (4 pps.)
5. Worksheet 1 – Animal Units
6. Worksheet 3 – Waste and Nutrient Management (3 pps.)
7. Copies of maps (2 pps.)
8. Worksheet 4 – Waste Storage Facilities
9. Worksheet 5 – Runoff Management (2 pps.)
10. Environmental Incident Response Plan (21 pps.)
11. Employee Training Plan (9 pps.)
12. Design Report – Resource Engineering Assoc (102 pps.)

**Notebook 2 – Nutrient Management Plan**

1. Snap-Plus Farm Data Report
2. Maps and Keys (5 pps.)
3. Soil Information Sheets (3 pps)
4. Copies of Maps (2 pps.)
5. Rock River Lab Report (16 pps.)
6. Dairyland Lab Report (7 pps.)
7. Waste Analysis Report (4 pps.)
8. Soil and Forage Analysis Lab Report (2 pps.)
9. Snap-Plus 590 Assessment Plan (5 pps.)
10. Snap-Plus Livestock Estimator Reports (2 pps.)
11. Snap-Plus Soil Test Report (2 pps.)
12. Snap-Plus Field Data and 590 Assessment Plan (6 pps)
13. Snap-Plus Nutrient Management Report 2008 (4 pps.)
14. Snap-Plus Nutrient Management Report 2009 (4 pps.)
15. Snap-Plus Nutrient Management Report 2010 (4 pps.)
16. Snap-Plus Nutrient Management Report 2011 (4 pps.)
17. Snap-Plus Nutrient Management Report 2012 (4 pps.)
18. Snap-Plus Nutrient Management Report 2013 (4 pps.)
19. Snap-Plus Stored by Crop Report 2008 (13 pps.)
20. Snap-Plus Spreading Plan Report 2009 (7 pps.)
21. Snap-Plus Spreading Plan Report 2010 (6 pps.)

22. Snap-Plus Spreading Plan Report 2011 (7 pps.)
23. Snap-Plus Spreading Plan Report 2012 (6 pps.)
24. Snap-Plus Spreading Plan Report 2013 (6 pps.)

#### **Separate Information**

1. 12/21/07 Drawings (33 pps.)
2. 12/10/07 Record Drawing Plan Set and Construction Observation Documentation (36 pps.)
3. Set of Agendas and Minutes – Crawford County Land Conservation Committee
4. CD of Public Hearings
5. CD of Snap-Plus Documentation for Howard A.V. Roth Farm
6. Snap-Plus Directions

## Environmental Impacts of Large Livestock Operations – Summary

April 5, 2007

- **Between 150 and 200 people attended the conference**
    - Environmental activists
    - Concerned citizens
    - Large farmers and farm organizations
    - UW-Extension agents
    - State agency staff
    - Wisconsin and Illinois
    - Over half of the attendees are or have been involved with a siting issue
  - **The *majority* of the speakers focused on animal waste, water quality, and air emissions issues and did not specifically “attack” large farms (CAFOs)**
    - Speakers mentioned that small farms also cause problems
    - Speakers mentioned the lack of enforceable environmental regulations (for all farms)
    - Speakers discussed how food policy, the agricultural and world economy, and individual decisions all impact the size of farms
    - Speakers advocated taking personal responsibility to effect change (to not pollute, to change laws, to support local and small-scale agriculture)
    - Speakers discussed the importance of agriculture to the economy
  - **Concerns expressed about the siting statute and rule included:**
    - Too biased in favor of rapid expansion of CAFOs
    - Too complex for local governments to administer
    - Capped fee makes it impossible to hire experts to review
    - Strips local governments of traditional local land use authority
    - Presumption of compliance makes it difficult to thoughtfully review the application
    - Impossible to protect public welfare (law restricts more stringent standards to public health and safety)
    - What entails scientifically defensible findings of facts is unclear
    - LFSRB is restricted to reviewing cases based on law and rule, not “merits” of case
    - Agricultural industry wrote the law and rule (impact of money and political influence)
    - Uniform statewide standards are not reasonable given variation in Wisconsin’s geology
    - Lack of state help to monitor and enforce compliance
- MEA did acknowledge that if the siting rule is not adopted, the standards are of no value and will not protect communities (even minimally). So, they still recommend communities adopt a siting ordinance while continuing to advocate for changes in the statute and rule.
- **Several speakers mentioned the need for improved technology to deal with animal waste and air emissions from animal housing and waste storage**
  - **Next steps included:**
    - Reconvening at the Fighting Bob Festival in September
    - Holding regional meetings to discuss issues and strategize
    - Having a blog hosted by MEA

# **Environmental Impacts of Large Livestock Operations – Report**

April 5, 2008

## **PETER MCKEEVER (EMCEE WITH GARVEY LAW FIRM)**

The room was packed – between 150 and 200 folks attended. Many did not register in advance. There were people from both Illinois and Wisconsin (there is a proposed 13,000 head dairy farm being proposed for Jo Davies County, IL).

McKeever stated that he is not objective. He has a specific point of view and it is that “large livestock operations are bad for Wisconsin and bad for the environment.” He wants to protect the environmental and public health. He said he is not anti-agriculture, he is anti-pollution. He is against large farms because they externalize the cost of doing business. His concern is that “agriculture says it is following the law, but agriculture wrote the laws. They are weak and don’t protect the air, water, or the environment.”

He stated that DATCP’s own review of nutrient management (NM) plans found only 5 of 19 were adequate. Who’s responsible for ensuring the rest meet the standard? He said DNR has good staff but they can’t do the work without money and staff.

“1000 AU vs 950 AU – there is no real difference. We need some independent ground-truthing of the requirements.” The Wisconsin model is that you “can’t pollute unless you have a permit to do so. It is ethically and morally wrong to pollute. Industry has no right to pollute the water and air even if the law permits it. Industry needs to step up, be accountable, and stop-polluting.”

Citizens are losing faith in government’s ability to protect their interests. Agency staff are committed, but they need the tools they need to do the job. Wisconsin needs good public institutions, a vital and thriving economy and a clean environment.

Wisconsin has siting criteria for only three types of things: powerplants, landfills, and CAFOs. Of these, only CAFOs only benefit the owner, not the community (doesn’t fit the pattern for siting criteria).

## **JAMIE SAUL – THE WISCONSIN LIVESTOCK SITING LAW**

Over half of the attendees were/are part of a battle related to the livestock siting law. The livestock siting law is biased in favor of rapid expansion of CAFOs. It’s important for citizens to know how to challenge the law. Predictability is good, but the livestock siting law goes too far. What happened to local control of land use?

Saul quoted the siting rule and law extensively and accurately.

He emphasized that the standards are of no value if the siting rule is not adopted. He stated that there is a very high bar for local ordinances to pass to adopt more stringent standards. They must be reasonable and defensible under scientific standards for the necessity of public health and safety. He stated that controlling operations by zoning is also difficult as all zoned towns or counties must also have a “sacrifice zone” of unlimited size. A local community may not decide only to have sustainable livestock agriculture.

Saul explained how the livestock siting law is bad for local governments

- Towns and counties lack resources and expertise need to administer it (complex)
- The capped fee (\$1000) makes it difficult to hire experts
- It strips local communities of their traditional local land use authority
- Presumption of compliance makes thoughtful review difficult
- Impossible to protect welfare/quality of life (only public health and safety are mentioned)
- Restricts zoning
- Paves the way for rapid expansion of CAFOs

“BUT – still better to have a siting ordinance in place than not have it”

#### *Next Steps*

- Restore some local authority to take into account localized concerns
- Increase scientific understanding of reasonable and defensible findings of fact
- Return zoning authority to local government to keep some areas CAFO free

(He also said nice things about the DATCP siting website.)

### **PANEL DISCUSSION – Local efforts to address the impacts of livestock operations**

#### *Lynn Chakoian – Vernon County Board of Health*

- Became involved during the Parr Family hog operation
- Neighborhood came to the Board of Health saying here were lots of sick people and they were concerned about air emissions.
- No local siting ordinance, so the expansion went through, but regardless, the County would have needed to prove a health and safety issue
- County is not zoned, so there are few legal levers to pull
- Wanted a six month moratorium to study and make a case to the state. When moratorium was on the table, DATCP said no and DBA and WFBF said lawsuits (Vernon County Board doesn't like to spend money, especially money on lawyers)
- A siting ordinance did pass (after the fact) and comprehensive planning is in the works
- EPA is working to relax regulations on CAFOs
- It is difficult to communicate between the different groups with different world views

#### *Dave Olson – Town of Magnolia, Rock County*

- Town of Magnolia set standards to protect groundwater and surface water
- The Board of Adjustment gave Larson acres a permit.
- Citizens sued, and Larson built, even though the Board of Adjustment permit was voided.
- Town Board gave a temporary permit after a cash settlement
- Larson then applied to the Town under the siting laws (which do not guarantee adherence to NM standards)
- Town gave a permit, although the area is sensitive to environmental pollution
- Town put conditions on the permit, four of seven which were voided by the LFSRB
- State will not help monitor compliance and the state SHOULD help monitor. Too bad the state will not help monitor compliance or help with compliance.



- The Town wants to work with Larson Acres to make this work and meet goals. Larson Acres has had improvements to the surface water, but won't share what they are doing differently. It would be nice if we could just get along. Appealed to Larson to work with the Town.
- Concerned that the wind turbine legislation that mirrors the LS law will take away local control but add local responsibility.

**Bill Hafs – Brown County** (see handout for full description of his local ordinance program)

- County ordinance protects the right to farm, if farmers comply with the ordinance
- Review NM plans annually (83,000 acres)
- Wish state divied up money according to the distribution of work, instead of equally (majority of CAFOs are in the northeast)
- Beginning in 2008, after the fact permits will be 2x the normal fee
- March spills have been bad this year. 2 biggest spills in history. AW storage failure. Annual inspections required 1x per year for > 500 AU
- Some animal waste facilities are being used to store other wastes (municipal, industrial and septic)

**Challenges**

- Goals is voluntary compliance
- Public health risks
- Repeat offenders
- Refusal to comply
- Complaints (urban sprawl)
- Failure to obtain permits
- Political challenges “fox guarding the chicken coop” – Boards that have to deal with these difficult issues are elected by voters
- WPDES permits – bigger farmers, greater risks
- Other wastes being spread on the land (don't have a handle on this)
- Want agriculture in Brown County to have good water quality. When reach 10% impermeable surface or more, can't have good water quality.
- Sustainability (too many AU for the acreage)
- Expansions are being driven by the price of milk and fertilizer

**Opportunities**

- “It's all about money – have to maintain profitability while protecting water quality”
- Brown County is working on a project to de-water and pelletize manure
- Education – Farm survey done with smaller farms (not CAFOs)
  - 86% agree water quality is their responsibility
  - Only 14% want to pay for it
  - See others as more responsible – ex. 36% identified waterfowl droppings as causing more water quality problems than farms which is simply not true.
  - Most worry about profitability and 75% want to maintain or expand their size.

## Questions for the panel

*What does it mean to have consistent treatment of farmers from county to county?* Hafs said counties should be consistent with how they treat farmers. Some counties do no enforcement at all, which is not fair to Brown County farmers. There needs to be a minimum requirement. Brown County has not enacted siting – it is a staffing issue.

*How has water quality fared since 1986?* Hafs said he does not have monitoring data on this, but has seen P levels in water increase recently. Maybe DNR has data.

*Could animal welfare laws play a role in this issue?* Chakoian said that people are concerned with cruelty to animals in confinement situations and there are no laws right now. However, this issue becomes a distraction. In a public hearing, folks need to speak to the issue and to what there are laws to handle.

*Do you believe the siting law should be modified to be more county specific?* Dave said that the terrain is diverse so that makes sense, but that he recommends having better monitoring and having the state share the burden of monitoring and enforcement. Also, he recommends putting more state resources towards methane digesters.

### **MIKE MCCABE – EXECUTIVE DIRECTOR, WISCONSIN DEMOCRACY CAMPAIGN**

- The Dairy Business Association (DBA) contributed \$140,000 in the last legislative session (citizens do not have equal access). The question is, “How does campaign finance affect these issues in agriculture?”
- Official state policy advantages huge corporate farms at the disadvantage of small farms.
- Political influence of agriculture: \$2.3 million in campaign contributions; \$750,000 in independent expenditures from the WFBF.
- What are they getting for their money? McCabe looked at 5100 Commerce grants and loans and matched them against the database of campaign contributors.
  - Found a striking difference between what donors got and what non-donors got.
  - Non-contributors got less than \$100,000.
  - Contributors got more than \$1 million.
  - The average contributor got 8x more than the average non-contributor.
  - The average *agricultural* contributors got 10x more than the average agricultural non-contributor.
  - Commerce aid went to 633 farms (4/100 of 1% of 16,000 farms – *NOTE—must be referring to dairy farms*).
  - Campaign contributors made up 1/1000 of 1% (20 farms) – “premium assistance” from Commerce.
- McCabe stated that the implication is that only industrial farmers are good farmers. Commerce has reached the conclusion that its economic development program is to advantage corporate agriculture.
- What else do recipients get for their contributions? No oversight or audits of how they spend the money or of the number of jobs created.
- You can’t only be concerned about what brought you to the room (environmental impacts of large livestock operations). You have to be concerned about campaign contributions. You will never succeed if you are not also concerned about campaigns. It’s about who controls

the policy. The transformation of Wisconsin politics from clean and progressive to a “political corruption scandal” has been breathtaking.

- The Wisconsin Farm Bureau Federation (WFBF) is named in the Scott Jensen complaint. The WFBF is named as one of the “4 horsemen”, along with Wisconsin Manufacturers and Commerce, the Wisconsin Realtors Association, and the Wisconsin Builders Association. “These groups are not content with just controlling the lawmaking anymore, they are also concerned with how laws are interpreted and enforced (Supreme Court).”
- The genius of organizing is to talk to 1 person.

### **JIM GOODMAN – ALTERNATIVES TO FACTORY FARMING**

- Milks 45 cows. Direct markets to consumers. Converted to organic production.
- “Small farms can do bad things too, as can industrial and organic farms. There are problems everywhere.”
- “Get big or get out” started with Nixon’s Secretary of Agriculture. Food became a commodity and scientists even began looking at food differently.
- Why do people feel the need to milk 1000 or more cows? He gave some reasons for the industrialization of agriculture:
  - Poor environmental enforcement
  - Cheap labor
  - People are mentally a long distance from the farm
  - Belief that farmers aren’t bright
  - Desire for cheap food
  - Industry control
  - Small farmers have no voice
  - Big stores (Wal-Mart) want large suppliers
- “Everybody does better when everybody does better!” What is the alternative vision? It can be whatever you want! You have to support it (small, local farms) if you want an alternative to large farms.
- Can we feed the world organically? Well, we haven’t managed to do it conventionally! GM seed doesn’t work in low-input countries. Africa doesn’t need GM seed. It needs peace.
- Government and industry will fight the changes.

#### ***Things that are changing:***

- The price of food is going up
- Grain stock is not available because of ethanol
- Let the world feed itself (The U.S. doesn’t need to feed the world)
- Oil prices are increasing
- Climate is changing

### **MAUREEN MULDOON – SCIENCE BEHIND THE NE KARST TASK FORCE REPORT**

- Geology Basics
  - Aquifer – a geologic unit that can store and transmit usable quantities of water to a well.
  - Recharge – Refilling the saturated zone of the landscape
  - Groundwater flows downhill
  - Discharge areas – where the groundwater pools ex. Streams, lakes

- Karst is a huge range of landscapes.
  - Karst is formed on rock such as limestone, dolomite and gypsum, primarily by dissolution, characterized by sinkholes, caves and underground drainage.
  - Recharges occur mostly in the spring and a little in the fall
  - Landscape allows rapid downward and lateral flow of water
  - Areas of particular concern are those with Karst features and thin soils – ex. Door County is immature karst with very thin soils
  - With Karst there is little or no attenuation of contaminants because the landscape has dense and ubiquitous fracture networks. There is little surface runoff and water easily infiltrates to the subsurface and then on to the discharge areas. This makes them more easily susceptible to contamination.
  - 20% of the US and 40% of the US east of the Mississippi is a karst landscape
  - Karst landscapes are not uniform
- Water quality is very closely tied to groundwater susceptibility maps
- The Town of Morrison issues (86 wells tested unsafe for coliform and e. coli) led to the northeast Wisconsin Karst Task Force
- “Uniform standards for nonpoint do not make sense given the geology of Wisconsin.”
- “Animal waste is the issue, not the source of it (large or small farm)”
- Recommendations of the Karst Task Force:
  - Minimize groundwater contamination from pathogens and brown water
  - Minimize groundwater contamination from nitrogen.
- There is a new project in Manitowoc and Calumet Counties that has 10-20 feet of soil over karst features. Still seeing very rapid movement in the soil. Also gave the Dodge County example with the worm holes.

### *Next Steps*

- Admit that there are water quality problems
- Take steps to address the problem; the status quo is not working
- Establish carbonate bedrock management zone (NE is different than SW)
- Know that animal waste affects groundwater – we don’t need more research on this issue
- Improve methods of bedrock surface and soils mapping
- Research
  - the fate of other N sources
  - the impact of the timing of manure applications
  - the impacts of additives in manure

### *Challenges:*

- Very little funding for groundwater monitoring research
- Do not have monitoring wells around large farms (we do around landfills and gas stations)

### *Questions:*

*What is the impact of groundwater contamination on Green Bay and Lake Michigan?* Don’t know

*Is the problem in SW Wisconsin as great as in NE Wisconsin?* Don’t know. The upper most aquifer is possibly susceptible.

*Should CAFOs be allowed to expand in Door County?* Would be very difficult to write a nutrient management plan for northern Door County, and there definitely could not be any winter spreading at all.

## WATER QUALITY AND PUBLIC HEALTH IMPACTS

### Gordon Stevenson

- Manure is a long-standing problem in Wisconsin.
- CAFOs are not the primacy source of the water quality problem in Wisconsin.
- The problem is deep and is confounded by culture, the economy and technology.
- Wisconsin is one of the most water rich and livestock rich states in the US.
- Impacts of Manure Runoff
  - Contaminates wells
  - Kills fish
  - Chronic eutrophications
  - Human health risks from bacteria and nitrate
- 3 biggest environmental problems in Wisconsin: mercury, sediment, and manure.
- One runoff event compared to the Dane County P ban (1870 lb P reductions from people in 1 year. 2400 lbs P delivered in 1 event (not a CAFO)).
- 1 cow = 18 people (BOD) 1000 cows = 18,000 people (Sun Prairie)
- 180 CAFOs out of 30,000 livestock operations (.6%). About 10% of animals. "At most, CAFOs are 10% of the problem."
- Talked about what CAFOs have to do (list of regulations and requirements) and what non-CAFOs have to do. In regards to non-CAFOs, "Statistically speaking, nothing, unless they are 1<sup>st</sup> offered 70% cost-sharing." Would need almost \$1 billion in cost-sharing, between DATCP and DNR. \$20 million is available in this biennium.
- V<sup>2</sup> sociological pathology:

<i><b>Virtuous Misperceptions</b></i>	<i><b>Villainous Misperceptions</b></i>
Cheeseheads	Industrial Agriculture
America's Dairyland	Corporate Farms
Agricultural heritage	Factory Farms
- "Wisconsin's corporate farms are owned by families!"
- Livestock and Technology – haven't been many advancements in manure management compared to other advances in agriculture "can't say no more agriculture, so can say we need more technology."
- Discussed agriculture's impact on the economy
  - Grow Wisconsin's goals -- Agriculture is a bright spot in the economy right now.
  - Milk processors short of milk (10-15%)
  - Anticipate more organic farms, more grazers, and more CAFOs
- CAFOs have grown by 20-25 each year since 1986
- "Manure water quality problem is not big vs small, but is a result of technological stasis, cultural bias, and short-term economic expediency"

### Questions:

*What are the size of Wisconsin's CAFOs? Smallest CAFO is 1000 AU (700 cows) and biggest is 6000 cows.*

*How come there are no groundwater/surface water monitoring requirements? Land disposal is dicey. EPA only regulates the production areas.*

*Of the 52 runoff events, how many became CAFOs afterwards? None.*

### David Chakoian – Family Practitioner in Viroqua

- His wife asked him to review the literature when the Parr Farm became an issue in Viroqua. He isn't doing any original research, he's just reviewing the evidence.
- His analysis is specific to hog CAFOs. He said it doesn't make sense to link all CAFOs together (type of animal or size).
- "The respiratory risks to those living near hog producers is unequivocal – the question is the magnitude."
- Can't do a double-blind study, which is the best scientifically.
- Respiratory illnesses come from 3 components – dust (chronic bronchitis and asthma), chemicals (hydrogen sulfide and ammonia), and bioaerosols (bacteria and bacterial components).
- OSHA data says that safe levels for VOCS as 10 ppm for hydrogen sulfide and 25 ppm ammonia.
  - That is old data, based on single compounds and an 8 hour exposure.
  - There isn't much known about the other components
  - There are no studies of the chemicals when combined, even though we know chemicals work synergistically.
- Evidence shows there is "bad stuff going on" in animals.
- Data from people working inside the animal housing (where the concentrations are much higher) shows respiratory illnesses.
  - 25% of workers develop chronic lung problems. A lot of folks get chronic, non-allergic asthma.
  - Evidence show that folks who live further away also see these symptoms plus Post Traumatic Stress Disorder symptoms.
  - In schools within 3 miles of hog CAFOs (no smell), there is a 10% increase in asthma.
  - In schools where you could smell the CAFO 2 days per month there was a 25% increase in asthma.
- In Germany, a study with a 68% response, males only, with medical exams, blood samples, and lung testing, the biggest correlation to triggering asthma was the number of animal buildings within a certain area.
- *Question to be answered: How can we make emissions from hog CAFOs safer?*
- DNR delayed the air quality requirements for agriculture upon requests from the agricultural industry.
- People need to realize that the aerosolized bacterial plume that comes off a 1000 head farm is different from that coming off a 10,000 head farm.
- In the Netherlands, MRSA is found in 38% of hogs going to the market; 20% of the MRSA found in hospitals is from hog strains.

### Questions

*What is the rate of non-allergic asthma in the general population?* Don't know.

*Is there reason to be concerned about other pathogens?* Don't know.

*Could antibiotics in soil alter soil biology?* Don't know. However, can trace tetracycline resistance to antibiotic feeds. There is reason to believe and speculation that hog CAFOs could play a role in influenza epidemics.

## **JIM HIGHTOWER – KEYNOTE SPEAKER**

- Congratulated the crowd for being agitators.
- Is against the subsidized, conglomeratized, industrialized food system
- Corporate agriculture has taken control of food policy
- More references to “Earl Butz”, Nixon’s agriculture secretary.
- Promoted the sustainable way – local, organic

## **PANEL DISCUSSION**

### **Russ Tooley, Centerville Cares**

#### ***Lessons learned:***

- Accuracy: What you say needs to be accurate. Get good help.
- Positive: Learn how to talk about the bad things while remaining positive. Focus on air and water quality.
- Monitors: You will become monitors (the Legislature has restricted money for DNR)
- PETA: Don’t be marginalized by radical groups. Stay focused on air and water.
- Persistence: Be in it for the long haul
- Vigilance: Gave air emissions example.
- Integrity: Don’t exaggerate. The truth is bad enough.
- Agencies: You can get help from your local UWEX office and LCD. Don’t expect government to do the work.
- Bad apples: They cause the trouble. Focus on them.
- Enjoy: You need to enjoy the things you are fighting for (fishing, swimming)

Asked questions of DNR and always heard, “*When* we renew this permit instead of *if* we renew this permit.” Also heard, “We haven’t denied a permit in 20-30 years.”

### **Judy Treml, Kewaunee County resident will contaminated well**

- Discussed her experience with manure coming out of her water faucet and her experience with DNR.
- Local CAFO operator spread 89,000 gallons of manure on thawing, melting snow.
- DNR WQ Specialist said, “I don’t have time for this. I’m a very busy man. Call someone else. If you have a phone book, pick it up and call someone.”
- She called every news station and newspaper.
- Settled lawsuit with MEA’s help.
- Has received phone calls from 68 homeowners who don’t know who to turn to.
- Costs -- \$16,000 to replace the well, \$1500 in doctor’s bills, \$2600 in hospital bills. Recouped the money, but not peace of mind.
- Politicians are over-concerned with doing what CAFO operators and agricultural producers want. If the committee would have passed the rule as written, it would have only impacted a small number of farms who produce the majority of manure.
- Agriculture must take personal responsibility for their actions. Instead, they are allowed and supported to pollute.

### **Tony Ends – Green/Rock Citizens for Clean Water (Town of Magnolia)**

- His group has about 25 people
- Brought a stack of legal papers at least 18 inches to 2 feet high
- He can't drink his water due to nitrate contamination.
- Should have had legal representation from the beginning
- Raised money through raffles and other fundraisers
- Heard the testimony at the Legislature on the siting law and all the agricultural groups were saying "Thank you for inviting me here today" while the average citizens were saying, "We just found out about this." Rammed through the law in a couple of months. Didn't hear from any health experts or scientific experts.
- What is more important than water? How long can you live without water? (as compared to how long you can live without milk)
- Upset that the siting law gave Larson a permit even though his P levels were high
- Upset that the LFSRB overturned the Town's conditions on the permit even though they were "reasonable conditions with 2400 pages of scientific evidence."

#### ***Solutions:***

- Get an experience environmental law attorney
- Embrace and support local food
- Realize government isn't going to come to your rescue.
- Organize and communicate across state lines.
- Rescind the state law
- Need an organization that is similar to the trade organizations that have bureaucrats and professionals to speak for them. We need our own professionals.

### **Crawford County folks (3 people)**

These were not on the agenda. They gave their perspective on what is happening in Crawford County.

#### **NEXT STEPS**

The discussion about next steps was very brief and vague.

- Discussed meeting again at Fighting Bob Fest in September.
- MEA discussed setting up regional meetings to discuss next steps in more detail.